

# First Principles.

NATIONAL SECURITY AND CIVIL LIBERTIES

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THE LETELIER  
ASSASSINATION

**In This Issue:** The Letelier-Moffitt Murder: Foreign Intelligence  
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BY CHRISTINE M. MARWICK

**Coming:** NOV. — Fred Hampton:  
A Case of Political Assassination?  
DEC. — The Freedom of Information Act

**August 31, 1976** To amend the Freedom of Information Act Rep. Bella Abzug introduced H.R. 15353 to provide a legislated classification system, stipulates that no classification of any kind shall prevent either Congress or any U.S. court from examining any classified documents.

**September 4, 1976** FBI files released in the Socialist Worker's Party lawsuit reveal that the FBI has 66 informers in the SWP at present. The files also show that the FBI has used 16 persons, including 316 SWP members, to spy on the party and its affiliate, the Young Socialist Alliance, in the last 16 years. The SWP and the YSA together have only 2500 members and refuse to take internal measures to discover the informants. (*Washington Post*, 9/5/76 p. 1)

**September 5, 1976** FBI Director Clarence Kelley has allowed the FBI Association (a private organization which counts some 6600 former agents as its members) to solicit voluntary contributions from FBI agents to defend FBI agents charged with crimes that grew out of orders to investigate domestic radical groups. Critical field agents claimed a conflict of interest in the move saying it was wrong for members of a law enforcement agency to donate

money to defend people charged with crimes and that no other groups are permitted to solicit in this way. (*New York Times*, 9/6/76, p. 7)

**September 7, 1976** Although Justice Department lawyers won an appeal to force two FBI agents to appear before a special grand jury investigating violations of civil rights, according to JD lawyer Stephen Horn, Justice has since made an agreement with the defense that would eliminate the need for some agents to appear. (*New York Times*, 9/8/76, C 43)

**September 9, 1976** According to documents published last year by the House Subcommittee on Government Information and Individual Rights, former Acting Director of the FBI, L. Patrick Gray, was informed of various irregularities and improprieties in the Bureau's operation, but that he took no action to investigate. Gray refused to discuss the allegations, but has made claims that improprieties such as Hoover's "secret files" on public figures, do not exist. (*New York Times*, 9/10/76, p. A 18)

**September 13, 1976** According to testimony before the House Subcommittee on Government Information and Individual Rights, the federal Civil Service Commission has

routinely used the intelligence files of local police agencies in investigating the backgrounds of federal job applicants. Chairperson Bella Abzug characterized such red squad files as being filled with "unsupported and often erroneous accusations and hearsay." Civil Service official Robert J. Drummond stated that the Commission no longer uses such data routinely, but would continue to do so "when we think we have a need to." (*New York Times*, 9/14/76)

**September 16, 1976** In response to pressure from its House oversight committee, the FBI has estimated that it will cost an extra \$11.8 million to catch up on the processing of Freedom of Information requests and \$6.4 million annually to keep current. The Bureau is at present taking up to nine months to respond to routine requests which it is required by the FOIA to answer in 10 days; the requests are mostly from individuals seeking their own files. The Justice Department's FOIA chief stated that the FOIA and Privacy Acts ought to be changed to make them less of a burden on the bureaucracy. (*Washington Post*, 9/17/76, p. A9)

**September 17, 1976** The House of Representatives passed House Resolution 1540, creating a select committee to investigate the assassinations of

In The  
News

*It is at all times necessary, and more particularly so during the progress of a revolution and until right ideas confirm themselves by habit, that we frequently refresh our patriotism by reference to first principles.*

THOMAS PAINE

## In The News

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John F. Kennedy, Martin Luther King, Jr., and any others the committee may choose.

September 21, 1976 Harvard law professor Vern Countryman and eighty-one other law professors released a letter requesting the Senate Judiciary Committee to investigate the conduct of Judge Irving Kaufman during the trial of Julius and Ethel Rosenberg. Professor Countryman said that documents recently obtained from the FBI force the consideration that there was "a shocking pattern" of abuse by Judge Kaufman, now chief justice of the US Court of Appeals for 2nd Circuit. (*New York Times*, 9/23/76, p. 15)

September 22, 1976 The House Ethics Committee voted not to take any punitive action against Daniel Schorr, the CBS newsman who released a Pike Committee report to the *Village Voice*. (*New York Times*, 9/23/76, p. 1)

September 22, 1976 Clarence Kelley, Director of the FBI, testified before the Senate Select Committee on Intelligence that there has been a 97% decrease in the number of domestic security investigations; Kelley, however, modified his stand last month on transferring cases from the Intelligence Division to the Criminal, claiming that intelligence investigations are necessary to prevent violence and violation of

Federal laws. (*New York Times*, 9/23/76, C 29)

September 27, 1976 Bella Abzug (D-NY), chairperson of the House Subcommittee on Government Information and Individual Rights, has reported in a news release that Western Union International executive Thomas Greenish now says, contrary to his previous testimony, that his company disclosed personal and business communications to the government of the United Kingdom. Abzug commented: "There seems to be no end to invasions of privacy from our government, and now we must add the British government to the list of snoopers." (Committee News Release, 9/27/76)

## In The Courts

September 3, 1976 *In re Grand Jury Proceedings on Poche and Newpher*, M-11-188 (S.D.N.Y.) Judge Henry F. Werker rejected two FBI agents' attempts to circumvent grand jury investigations of illegal burglaries committed by them and other FBI agents in New York City, stating that FBI agents should not be "exempt from appearances before grand juries" because of their employment. J. Stanley Pottinger, head of the Justice Department's Civil Rights Division rebutted the agents' claim that their testimonies could jeopardize national security — "it would border on fantasy to believe the national interest is at stake."

September 10, 1976 *Bennett v. Department of Defense*, 75 Civ. 5055-LFM (S.D.N.Y.) Judge Lloyd F. MacMahon dismissed a suit seeking release of documents related to U.S.

military operations against Cuba on the grounds that the documents requested under the Freedom of Information Act were all properly classified or otherwise exempt from release. Judge MacMahon stated broadly that covert operations are legitimate "in this time of global tension and distrust . . . It is a legitimate function of the Executive to provide for such intelligence operations and to maintain their secrecy."

September 14, 1976 *Kendrick v. Chandler*, Civ. Action #76-449 (W.D. Tenn.) The American Civil Liberties Union filed suit for damages and injunctive relief against the Domestic Intelligence Unit of the Memphis Police Department. On September 11, Memphis Mayor Wyeth Chandler, apparently in response to being told that the ACLU

was intending to file suit, ordered the files of the Domestic Intelligence Unit destroyed. District Court Judge Robert M. McRae had issued a temporary restraining order to protect the documents, but the destruction allegedly took place before the order was passed to the police.

September 29, 1976 *U.S. v. Salzman*, 76-1357, —F.2d— (2nd Cir.) Because the US Government did not inform self-exiled Sidney Salzman that he could receive free transportation back to the US from Israel to stand trial on draft evasion charges, the appeals court upheld a lower court decision preventing the government from prosecuting on the narrow grounds of lack of exercise of due diligence. In his opinion for the court, Judge Irving R. Kaufman found it unnecessary to reach the wider constitutional issues cited in District Judge Weinstein's decision.

## In The Literature

### Government Publications

*Foreign Intelligence Surveillance Act of 1976*. Report of the Senate Committee on the Judiciary, Rep. No. 94-1035 (94th Congress, 2d Session, July 15, 1976); and Report of the Senate Select Committee on Intelligence, Rep. No. 94-1161 (94th Cong., 2d Sess. August 24, 1976). Reports by two Senate committees on the Ford Administration's national security wiretap bill, S.3197.

### Articles

"The Trial of the CIA," by Taylor Branch, *New York Times Magazine*,

September 12, 1976. Branch argues that despite revelations about CIA activities the congressional committees did not reach the vital questions because of "ineptitude, poor judgment, and lack of will" on their part and "flawless" strategy by the CIA. The Agency was able either to convince or coerce the Church and Pike committees to allow the President or the CIA the final word on what would be made public.

"Is Intelligence Constitutional?" Henry Steele Commager, *New York Review of Books*, 9/30/76. In his review of the Church Committee Report, Commager concluded that

putting presidential control over congressional control led to private, irresponsible executive army that the farmers of the Constitution had meant to prohibit.

### Periodicals

*Privacy Journal*: An Independent Monthly on Privacy in a Computer Age. Deals with issues such as computer security, surveillance, wiretaps, privacy law, and data systems. Subscriptions: \$25/yr. (overseas, \$40/yr.) P.O. Box 8844, Washington, D.C. 20003. Phone orders: 202/547-2865.

# The Letelier-Moffitt Murder: Foreign Intelligence Agencies at Work in the U.S.

BY CHRISTINE M. MARWICK

*Prologue: September 21, 1976. A blue Chevy carrying three people on their way to work moved slowly through Washington, D.C.'s sluggish morning rush hour traffic. Five blocks from their destination and only 300 feet past the Chilean embassy, a bomb planted in the car exploded. It had been put there to kill Orlando Letelier, 44, the former Chilean Ambassador to the United States, former Foreign Minister of his country, and foremost critic of the military junta which now rules Chile. Killed with him was an American woman, Ronni Karpen Moffitt, 25, a co-worker of Letelier's at the Institute for Policy Studies; she and her husband happened to be passengers in Letelier's car only because their own had not started the night before.*

## Official Investigation or Official Cover-Up?

The assassination in the nation's capital of Orlando Letelier and the murder of an American woman who was riding in his car is an event unprecedented in American history. It is the murder of a political exile who had found sanctuary in the United States and had been effectively working for U.S. support for restoring democracy in his native land. The method the killers used was designed to inspire terror. There are inconspicuous ways, as the CIA would put it, to "neutralize" someone, but Letelier's assassin's choice of a bombing in rush hour traffic is a classic terrorist statement. It was intended to provide a spectacle, to demonstrate that the killers do not care what bystanders are also murdered or maimed along with the intended victim, and to warn others of the high price of speaking out.

Yet the Ford administration's official response has been, to say the least, low key. Had the car been that of Aleksandr Solzhenitsyn, one expects that the administration would have mustered a response somewhat more spirited than the State Department's pallid statement that it "expresses its gravest concern about Dr. Orlando Letelier's death."

In effect, the administration is drawing an unacknowledged distinction. If a Russian exile were murdered, the outcry would be raised against the Soviet Union, America's premier political competitor for the last 30 years. But in the Letelier-Moffitt murder, the trail leads back to the military junta in Chile, a regime installed and sustained with unflagging administration support.

What happens now — whether in the aftermath of the Letelier-Moffitt murder America will be safe for its political refugees and for its citizens — depends on what kind of investigation is conducted. But with recent revelations of such things as the U.S. government's overthrow of the democratic government of Chile, the use of assassination as a CIA covert action technique, and decades of FBI harassment of the left in this country, we simply cannot afford to put any confidence in a routine official investigation of the Letelier assassination. The interests for a cover-up are too apparent.

And with the break for elections in November, it is impossible for a congressional investigation to start while the trail is fresh. In the last minute crunch to end the session, the Senate did manage what has so far been the strongest government response — it unanimously passed the Kennedy Resolution, which deplored the murder and called for an investigation. But it is an effective resolution in spirit only — it lacks a cutting edge. In itself, it provides no safeguards against an executive cover-up, and the full significance of the bombing is likely quietly to elude the public if the momentum toward a routine investigation and an equally routine cover-up is not stopped.

There is motive aplenty for a cover-up, for the Letelier assassination shows us an important thread which the intelligence investigations of the Pike and Church Committees were unable to take up. There is an increasing body of evidence that

"YOU FELLOWS THINK I SHOULD HAVE SENT  
A FLORAL PIECE?"



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the CIA/FBI at least tolerate (and, for all we know, encourage) the intelligence agencies of allied governments to carry out operations within the United States. If this is so, the most logical place to look for the Letelier-Moffitt killers is in the intelligence arm of the Chilean military junta, the DINA (Direccion de Inteligencia Nacional). The DINA's operations are no isolated fluke; it is the same class as other allied intelligence agencies, the South Korean CIA and the Shah of Iran's secret police, SAVAK. All flout the most basic of human rights, all use similar tactics of terror and torture, all have made use of CIA expertise in their training, and in all there is strong evidence that they have U.S.-based operations as well.

If a serious investigation were conducted, it would almost certainly lead to direct and/or indirect United States complicity, not only in these murders, but in the brutal tactics of such agencies as DINA, KCIA, and SAVAK, which the CIA trains and supports in order to shore up undemocratic, unpopular but anti-communist regimes.

## The FBI Investigation

The investigation of the Letelier-Moffitt murder has thus far been in character with what we have learned about the FBI from our recent investigations of the intelligence bureaucracy.

As we have come to expect, the intelligence investigations produced no change in attitude in the executive branch, only new refinements in the practice of the "plausible denial." The *Washington Post*, for example, quoted an unnamed administration official as saying that the statements of moral outrage made by Senators Kennedy and Abourezk were "pretty despicable really. Well, great, I wish they had proof [that the Chilean junta was responsible for the murders] — I wish to hell they'd come down here and show us." The plausible denial is packaged in a hollow dare; if the administration could not bring itself to give authorized congressional committees uncensored documents, it is not going to share critical evidence of its operations with the avowed critics of the CIA-installed regime in Chile.

The most plausible place to look for the killers is in the Chilean DINA, yet the FBI investigation has apparently directed its resources virtually everywhere else. The Bureau is seemingly avoiding the test of Occam's razor — to put its energies first behind the simplest and most obvious explanation. The military junta maintains power at home by terror — arrest without cause, imprisonment without trial, torture, murder, and mysterious disappearances — and Letelier was its most effective adversary abroad. DINA has the strongest motive, the technical know-how for an assassin's bomb, and the established reputation for including

murder among its standard operating procedures.

Instead of following the most logical trail, going through the CIA liaison system to find the hand of DINA, the FBI has been treating the murders as another standard who-dun-it, and have poked around for leads to such fictional creatures as a murderously jealous mistress.

Another favorite FBI diversion is to investigate the possibility that the killings were the work of another Chilean exile group. This is ingenious but unlikely. Letelier was a threat to the junta precisely because his skills as an effective diplomat gave him contacts which gracefully spanned the distance from the Chilean Christian Democrats to the MIR, the revolutionary left movement. Blaming violence on the left is a tactic that the intelligence investigations have already brought to light. The Church Committee's report on the kidnapping/assassination of Chilean Gen. Rene Schneider recorded that the CIA had planned to blame that operation on the Chilean left, when it was the design of CIA-rightwing plotting.

More ominous than avoiding the policy questions that lead to the Chilean junta is the fact that the FBI has apparently been taking advantage of the Letelier assassination as a pretext for investigating the Institute for Policy Studies, which had been the object of intensive illegal FBI surveillance and infiltration in the past. First, there was a skirmish over whether the FBI would "grant" Institute staff, who were understandably leery of FBI intentions, the right to have a lawyer present while they were questioned. And then grand jury subpoenas were issued to people who refused to talk to the FBI. One IPS staffer's grand jury subpoena was dropped when she agreed to talk to the FBI with a lawyer present — an apparent violation of the Congress' refusal over the years to give the FBI any subpoena power. It is a situation reminiscent of the grand jury abuses of the Nixon Justice Department. (See the September, 1976 issue of *First Principles* for a report on the uses of the federal grand jury to threaten political debate.)

## Investigating Clandestine Organizations

Any investigation of the Letelier-Moffitt murder which would satisfy critics that it was more than an empty formality in support of a bigger cover-up must come to grips with the fact that a political assassination cannot be treated as a routine murder. If the FBI keeps to its decision to conduct resolutely conventional investigation which stays out of anything so delicate as foreign policy affairs, it will not develop anything more than an intrusion into the Institute for Policy Studies and the lives of Letelier's political friends and associates.

An investigation which would follow all logical leads must inevitably deal with the facts that the prime suspect is a foreign intelligence agency which is allied with our own CIA.

For instance, there is a strong possibility that the bomb was a remote-controlled device set off from within the Chilean Embassy, and this in turn suggests that we are not dealing with typical hired domestic killers, the kind susceptible to the FBI's usual informer trails, but with a trained intelligence agency. And if what is likely is also true, then we have a carefully constructed plot, designed to leave no traceable clues and to obscure follow-ups with issues of diplomatic protocol and immunity.

The assassination shows that the Chilean junta has learned some of the gambits of covert action entirely too well from their CIA professors. There is the plausible denial tactic, for instance. Junta Ambassador Manuel Trucco reacted to the murders with statements far stronger than those of the U.S. State Department: the killing was a "deplorable deed" and Chile "repudiates the outrageous act of terrorism." Yet the record of the DINA is so outrageous that even such publications as *Time* and *The Wall Street Journal*, which have been otherwise tolerant of the junta and antagonistic to the policies of the Allende government which preceded it, have recounted in detail the horrors which DINA operatives routinely carry out. The calling card of DINA is clear to anyone who knows anything about the way that the Chilean junta maintains its power; the bomb in Letelier's Chevrolet is as clear a sign as a dead canary left in the mouth of a Mafia informer. And the purpose is the same — to let people know that it is dangerous to speak out.

When dealing with clandestine intelligence agencies no one should expect to find hard evidence of guilt at the scene of the crime. All that can be done is to piece together circumstantial evidence — tying together what is known and confirmed about DINA/CIA operations and what is generally known but impossible to document because of the supersecrecy of clandestine organizations.

And indeed, all the circumstantial evidence indicates that it was the junta which wanted Letelier dead, that the DINA knew how to go about it, that the CIA must know about the operation because it routinely trains and infiltrates such organizations. In a situation with two people murdered, the burden of proof must now be shifted from the critics of the U.S.'s Chilean policy to fall squarely on the intelligence bureaucracy. If ever there has been a moment when the costs of maintaining secrecy have clearly been too high, that time is now.

## Why DINA Is Behind the Letelier Assassination

The Chilean DINA is the most plausible killer because Letelier was a serious threat to the Chilean junta; the man was a gifted diplomat and economist, dedicated to restoring constitutional government to his country.

When pressure from the Venezuelan government obtained Letelier's release from a year's imprisonment and torture following the Pinochet coup, he was at first politically inactive; he told a reporter that DINA was going to kill him. But he gradually began to put his skills to public use against the junta, and became their most effective adversary. In February, 1976 he managed to get the Dutch Dockworkers Federation to agree to a total boycott on handling Chilean goods. The junta blamed him for the cancellation by the Dutch government of a \$63 million credit for Chilean mining, and he was instrumental in the cut-off by the U.S. Congress of military aid to the junta in June, 1976. He was extending his influence in the Common Market, appearing at rallies, writing articles on the junta and its economics.

All this added up to a serious economic threat, for the junta's power base is far from stable. The Chilean economy is in worse shape than it ever was under Allende, and the Chilean government is so afraid of testing its authority at the polls that it has destroyed the voting roster. After the assassination, Ambassador Trucco denied any Chilean involvement, saying that the removal of Letelier's Chilean citizenship the week before had been an effective enough sanction. But this evades the point — Letelier's work and the junta's economic and political disaster as a government combined for real and objective harm to the Pinochet government. They have killed for less.

The Letelier assassination also follows in an established pattern. Each fall, one of the most credible critics of the junta has been killed by terrorist tactics, apparently in part of the junta's celebration of the September, 1973 coup which ended the Allende government.

- In October, 1974, Gen. Carlos Prats and his wife were blown up in their car in Buenos Aires. Prats had been Commander in Chief of the Chilean army under Allende. A strict constitutionalist like Gen. Rene Schneider, Gen. Prats was seen as a stumbling block for military authority.

- In October, 1975, Bernardo Leighton, Vice President of Chile's Christian Democratic Party in exile and his wife were wounded in a near-fatal machine gun attack in Rome.

- In addition, many Chilean exiles in Argentina and Colombia have been subjected to beatings, and harassment; DINA has consistently been accused.

Starting in the summer of 1976, Letelier began receiving anonymous threats on his life. And he received a letter from an undisclosed, highly placed friend in Chile who warned him that there had been a debate in the junta whether to order his death.

The bomb itself is another indicator that the assassination was engineered by the Chilean DINA. All indications are that it was a sophisticated device, designed to focus the explosion on the driver of the car. The FBI investigation so far points to a remote control device rather than a timer, which makes sense logistically. If it had been a timed device, then it would have come close to failing, since the car was only five blocks from its destination when the explosion occurred. The car was also visible from the Chilean embassy, and if it was a remote control bomb, DINA agents would have been able to sit and watch for the car and then detonate the bomb as it passed. The fact that they could see other passengers would not have deterred them. Innocent victims only add to the spectacle of the killing; such terror tactics serve as a warning to other Chilean patriots that their activities endanger not only their own lives, but those of the people close to them.

By detonating from within the embassy, they would be able to take advantage of diplomatic immunity to conceal the device used, destroy evidence at their leisure, and then announce a willingness to offer full cooperation with the investigation.

Ambassador Trucco protested that using such terrorist tactics would be irrational; it is a defense which appeals to American naivete, which is still reluctant to believe that there are American-supported governments whose political base is not votes and popular support, but terror. The Chilean junta is such a government.

### Is the CIA in a Position to Know About DINA Operations?

There are solid reasons to believe that the CIA must know about DINA operations, including the Letelier assassination. It is DINA which props up the Pinochet junta, and it is the U.S. government and its CIA which created the Pinochet regime.

While the administration cites the threat of terrorism as the justification for its intelligence agencies, it has at the same time condoned, encouraged, and/or supplied the terrorist tactics in the CIA-created and supported regimes. Such regimes are never stable — they require such tactics to maintain themselves in the face of the popular momentum in another direction, one independent of U.S. vested interests.

The Church Committee's case study of Chile details this phenomenon, although the report treats the operation as if it were of only historical interest rather than an ongoing effort. The report noted that Chile had been a singular example of the orderly democratic process at work in a developing nation. When Salvador Allende, the leader of the Unidad Popular coalition of socialists and marxists, was elected, Nixon and Kissinger decided to end that democratic process in Chile and replace it with something guaranteed to be more responsive to their own preferences: a military coup which would be dependent on American largesse for its continued existence.

And the Church Committee report on assassinations details how the CIA conspired to kidnap Gen. Rene Schneider, Commander in Chief of the Chilean armed forces and a confirmed supporter of Chile's Constitution, who stood in the way of a coup. The report was unable to determine whether CIA-supplied weapons were used in the kidnap-attempt, but this is quarreling about details. It is disingenuous to allow the CIA to pretend that, just because its effort had been styled in its paper trail as a "kidnapping" rather than as an "assassination," Schneider's murder came as a surprise to the CIA. The kidnapping of an armed military officer must be expected to produce a killing.

It is important also to put the Schneider assassination into the context of Chilean history. Chile has had a stable constitutional government for fifty years, until the CIA began to back groups of political assassins. The lesson should be clear enough — if Chileans are being murdered, the U.S. policy to subvert the Allende government has had a hand in it, both directly and indirectly.

But these facts merely point to an administration belief that they share political interests with the Chilean junta which transcend such things as human rights, respect for life, the democratic political process, or viable economic programs.

The facts point also to an intimate working relationship between CIA and client intelligence agencies such as DINA, KCIA, and SAVAK which make it difficult to believe that CIA does not know about their activities, particularly when they operate within the United States.

For a start, it is the CIA which trains these intelligence agencies, ostensibly for dealing with the KGB. But the same tactics are as easily applied to the suppression of political rights within their respective countries. Thus, when the CIA-staff "International Police Academy" offers courses on making bombs and has students writing theses "on the use of torture as one technique of interrogation of prisoners," one should assume that these tactics are not limited to the KGB but are used against a dictator's political critics.

Secondly, foreign intelligence agencies willingly establish liaison relationships with the CIA. Numerous reliable sources have stated that one of the major functions of such liaisons is "penetration" of the foreign intelligence service. The Church Committee found that the CIA actively recruits covert agents in all sectors of Chilean society, including intelligence. Likewise, Philip Agee's *CIA Diary* lists such liaison/penetration work as being the second priority of the CIA in Latin America, right after its anti-communist operations.

Agee gave this summary of liaison operations:

*Why get involved with other services? Basically, liaison operations are conducted because they are useful. They extend a station's limited manpower however shaky the extension may be. They give the CIA a foot in the door for penetration of the liaison service. And they may also result in a local service taking action, such as an arrest or raid, at station request.*

*In non-communist countries it is the policy of the Agency to assist local security services to improve their capabilities if, of course, these services want the help and their government is not openly hostile to the US. By giving money, training and equipment to local services like the police, the CIA is able to receive information that might otherwise not be available because, for example, of the shortage of station officers. Travel control, for instance, involves obtaining airline and ship passenger lists from the companies or from local immigration services. Often it is easier to obtain them from a liaison service than from five or ten different companies. Telephone tapping is often possible only through a local service, especially when many lines are to be monitored. Mails can be opened much more easily by a local service than by the lengthy process of unilateral agent recruitment in post offices. Above all, if flaps (scandals) occur, the local service, not the CIA, will take the rap. . . .*

*CIA assistance to local services through Public Safety Missions or other forms of cover are not only designed to help improve the professional capability of the local service. Operational targeting of the local service is guided by CIA liaison officers so that the local service performs tasks that are lacking in the overall station operational programme. In other words local services are to be used for the benefit of the CIA, and this includes keeping the local service away from station unilateral operations.*

*The personal relations between CIA liaison officers and their colleagues in local services are very important, because the CIA*

*liaison officers are expected to spot and assess officers in the local service for recruitment as penetration agents. Liaison officers make money available to officers of the local service and it is expected that the local colleague will pocket some of the money even though it is supposed to be strictly for operations. The technique is to get the local police or intelligence officer used to a little extra cash so that not only will he be dependent on the station for equipment and professional guidance but also for personal financing.*

*Security officers such as police are often among the poorest paid public servants and they are rarely known to refuse a gift. Little by little an officer of a local service is called upon to perform tasks not known to anyone else in his service, particularly his superiors. Gradually he begins to report on his own service and on politics within his own government. Eventually his first loyalty is to the CIA. After all, that is where the money comes from. Penetration operations against local services are often of very considerable importance because of the place of security services in local political stability. Reporting from these agents is sometimes invaluable during situations of possible coup d'etat.*

*Finally, CIA stations may undertake unilateral operations through officers of liaison services who have been recruited as penetration agents. That is the final goal. Recruited liaison officers may also report on efforts by their services to uncover unilateral station operations. This, too, is a happy situation.<sup>1</sup>*

Moreover, we have on record in the Church Committee's report on *Covert Action in Chile* confirmation that the CIA did have this kind of liaison relationship with DINA.

*After the coup, the CIA renewed liaison relations with the Chilean government's security and intelligence forces, relations which had been disrupted during the Allende period. Concern was expressed within the CIA that liaison with such organizations would lay the Agency open to charges of aiding political repression; officials acknowledged that, while most of CIA's support to the various Chilean forces would be designed to assist them in controlling subversion from abroad, the support could be adaptable to the control of internal subversion as well.<sup>2</sup>*

There seems no reason to believe that the CIA would not have considered killing Letelier a simple matter of helping the government of Chile in "controlling subversion from abroad." The record shows that much of the legal authority claimed by



the intelligence agencies relies on stretching the authorization to control KGB activities until it becomes a mandate to deal brutally with any dissent that does not support the administration's foreign policy objectives.

Such circumstantial evidence leads to pressing questions. Given that the CIA has penetrated DINA, is it possible that they did not find out — probably a good deal in advance — that DINA operatives were going to the United States to assassinate Letelier? And if so, why did the CIA not step forward and stop the plot, or foil it in some other way? And if, as seems unlikely (or else the CIA is even more inept than assumed), the CIA had no foreknowledge, is it possible that they are in no position to use their DINA operatives who are on the CIA payroll and determine who in fact is murdering people on the streets of Washington, D.C.?

Identifying DINA personnel is evidently not so difficult as to be beyond the CIA's abilities. After the Letelier-Moffitt murders a necessarily anonymous but reliable tip was passed to Representative Donald M. Fraser, Chairman of the House Committee on International Organizations, that a Chilean recognized a high-ranking DINA operative and five companions traveling into the United States during August.

### CIA Complicity?

Such intimate working relationships inevitably bleed over into complicity in at least two ways.

First, it is a recurrent theme in reports of the DINA, KCIA, and SAVAK, that such organizations are responsible only to themselves. As the Church Committee Report noted, the CIA not only consistently overestimates its control of the forces it sets into operation, but also ignores the fact that an allied clandestine organization can defy the overt orders of its government officials, just as the CIA can step beyond the laws of the U.S. If the CIA had foreknowledge of the Letelier assassination, they may well have underestimated the ruthlessness of the tactics that would be employed — blowing up a car in rush hour traffic while knowing other passengers were in it. One assumes — perhaps naively — that the CIA would balk at killing Americans. But after the lengthy record that they've established for themselves, are we to believe for certain that they would not tolerate an assassination carried out by a foreign service within the United States? If they could not only sanction but encourage the kidnapping/murder of Gen. Schneider, why should they now be expected to distinguish between that and the assassination of Letelier?

And second, the assassination brings forth a new set of issues, untouched by the investigations of

the congressional select committees: the extent to which the CIA sanctions the operations of allied foreign intelligence services within the United States. Since these foreign agencies must be aware of the fact of CIA penetration of their ranks, allowing such operations in the United States may well be considered a necessary "courtesy" in return. At the same time, these agencies may serve as an action arm which can do things the CIA cannot do domestically itself. Again, we have the problem of finding out what a clandestine branch of government knows or does, but even so there is a growing body of evidence that such operations go on.

DINA. Two DINA operatives, reliably reputed to be assassins (the Melgoza brothers) showed up in New York, apparently to assassinate a Chilean exile there. It was Secretary General Waldheim of the United Nations who, receiving information about their intentions, intervened and insisted that they be called back to Chile.

KCIA. The South Korean Central Intelligence Agency has been extremely active within the United States. As a result of testimony given before Rep. Donald Fraser's Subcommittee on International Organizations, the KCIA is now being investigated for running illegal front groups to manipulate public opinion in the U.S., "buying" at least two members of Congress, intimidating businessmen with interests in South Korea, and silencing vocal Koreans in the U.S. by threatening their relatives and friends in Korea. In addition, they have apparently tried to close down *New Korea*, a newspaper published in Los Angeles, by harassing the editor-publisher.

But it is the controversial Reverend Moon who is the most visible appendage of the KCIA. Moon's religious organization has gotten into such domestic political activities as investing \$72,000 in the anti-impeachment campaign on behalf of Richard Nixon, and there are now allegations that the group is campaigning against Rep. Fraser, who has chaired investigations of KCIA activity in the U.S., in his re-election campaign. In addition, Moon has had access to the diplomatic cable channels to Seoul and has had funds pass through the diplomatic channels.

SAVAK is the secret police of the Shah of Iran; it was established in 1956 with the expertise of the CIA. There are an estimated 700 SAVAK agents in the United States; a great many of them are Iranian students at American universities who became SAVAK informers as a condition for getting Iranian government scholarships. The most serious allegation to surface thus far against SAVAK operations in the United States is that they were responsible for the mysterious deaths by "suicide" of Persian students who have been vigorously anti-Shah.

The case of Nasser Afshar, a naturalized U.S. citizen who publishes an anti-Shah newspaper called the *Iran Free Press*, provides a clear implication of CIA cooperation and/or coordination with SAVAK activities in the United States. Afshar requested his personal files under the Freedom of Information Act. One of the documents he received was a copy of the following cable from Richard Helms, former Director of Central intelligence and current ambassador to Iran, to the State Department:

*In fact, in last two years embassy had several times raised with Department question whether Iran Free Press could be closed down. Matter had been carefully studied but lawyers had concluded that under U.S. laws there was regrettably no basis for such action.*

Trujillo. The disappearance in 1956 of Jesus de Galindez is the subject of a book in progress by Alan Fitzgibbon. Galindez was a former official in exile from Rafael Trujillo's Dominican Republic. While teaching and studying at Columbia University, he wrote his thesis on the Trujillo government. Trujillo heard about the work, and three months after its completion Galindez disappeared; investigations ultimately revealed that he had been kidnapped by Trujillo's agents, flown to the Dominican Republic, and murdered. The Freedom of Information Act is now being used to dislodge records from the FBI and the CIA about the murder which took place twenty years ago, but researcher Fitzgibbon stated that "On the basis of the Galindez case, the U.S. government would have had excellent knowledge" of a situation such as the Letelier assassination. Trujillo's activities in the United States went back substantially further than the Galindez case, however, to a shooting in 1935 of one of his critics. There are also strong indications that the Dominican Republic dictator, like Korea's President Park, had members of Congress on his payroll.

The circumstantial evidence that the CIA has given such agencies the right to operate in the United States is impressive, and growing more difficult to conceal. But the CIA has ample motive to cover up such facts, and has launched on what bears the earmarks of a disinformation program, releasing selective, untraceable, and misleading "leaks." *Newsweek*, for instance, carried an account of CIA "conclusions" of the Letelier assassination, which stated it couldn't have been the DINA because the bomb was (in spite of the fact that it was by all other accounts a sophisticated device) "too crude" to have been professional, and because such an assassination would be politically counter-productive for the

junta. The *Newsweek* account, however, was not attributed to anyone within the Agency, and the CIA's official position is that it, of course, has no domestic investigatory function, and this is a domestic killing.

## Conclusion

We now find ourselves with a number of extremely uncomfortable facts on our hands. First, our government has been installing and supporting governments which practice the most brutal possible suppression of basic human rights. Second, our government at the very least tolerates the covert operations of the intelligence agencies of these same countries in the United States. Third, if the Letelier-Moffitt murder is not solved, it will be clear to these intelligence agencies that there is no reason why they cannot expand their operations in the United States. The FBI and the CIA might be prohibited from harassing Americans guilty of no crimes, but the same restrictions do not apply to foreign intelligence agencies. And if our counterintelligence apparatus decides to close its eyes to such operations, how long will it be until it is not only vocal exiles but American critics who are targeted? The Letelier-Moffitt murder may be but a prologue to other assassinations.

A special prosecutor, empowered to take the investigation beyond the constraints of a routine murder in the streets and into the political context — including secret information in the hands of our intelligence agencies — is absolutely essential.

The recent investigations of the intelligence bureaucracy have shown that they take liberal advantage of their classification stamps even when the national security in no sense hinges on the information concealed, and the Letelier-Moffitt murder is an instance of this. Given that the CIA has penetrated DINA, there must be a DINA agent on the U.S. payroll who has information about this assassination. Protecting intelligence sources is one thing, but murders are another. If Americans are to be safeguarded within their own country from being murdered by foreign powers, it is time for the CIA to stop playing innocent about the fact that it penetrates such intelligence agencies and to be compelled to reveal what it knows about the first such assassination in the history of the United States. If they do not, then the Letelier-Moffitt murder will be the first of its kind, and we will be inviting terrorism to come home.

## Footnotes

<sup>1</sup>*CIA Diary: Inside the Company*, by Philip Agee (Stonehill: New York, 1975) pp. 62-64.

<sup>2</sup>*Covert Action in Chile, 1963-1973*, Staff Report of the Select Committee to Study Governmental Relations With Respect to Intelligence Activities, U.S. Senate, 94th Cong. 1st. Session (1975), p. 40.

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rupted the original investigations. The FBI and the CIA withheld evidence from the Warren Commission and the FBI concealed the fact that the murder of King came during an extensive FBI campaign designed to destroy King as a leader and probably get him to commit suicide.

Two recent sets of events should remove the final vestiges of innocence from our eyes and force us to face squarely the role that assassinations play in our political life and foreign policy. One is the tragic murder of the Chilean leader Orlando Letelier in Washington and the other is a civil damage suit now going on in Chicago which is finally bringing to light the FBI role in the killing of Fred Hampton by the Chicago police in 1969. (The Hampton assassination will be the subject of the main article in the next issue of *First Principles*.)

The murder of Letelier and an American co-worker on the streets of Washington begins with the determined efforts of the CIA to prevent Salvador Allende's accession to power. At the direction of successive Presidents the Chilean military were urged to end the long tradition of civilian rule in Chile in order to prevent Allende from coming to power. When he won the presidential election CIA director Helms emerged from the oval office with instructions to promote a coup. Track II, as it was called, led to the killing of Army Chief of Staff Rene Schneider who stood in the way of the coup and then eventually to the

military putch and the death of Allende. As worldwide opposition to the repressive regime in Chile has mounted the Chilean secret police, the DINA, have responded by exporting assassination and directing it against opposition leaders living abroad.

American complicity in the murder of Letelier almost certainly does not end with our general responsibility for the events in Chile. One of the main activities of the CIA abroad is "liason" with friendly foreign intelligence services. The DINA was certainly in this category. "Liason" is like many other words a euphemism for many things. One of the most important is infiltration of the organization with paid agents in order to be able to influence what it does and to learn what it is up to. It would be very surprising if the CIA had not succeeded in penetrating the DINA. It would not be surprising if this penetration was not used to find out about planned killings abroad, to prevent them, or to bring the killers to justice. Such activity, we would be told, would jeopardize the agents.

But when a murder occurs in the United States sources can no longer be protected. We permitted the CIA and the FBI to investigate the murders of Kennedy, King, and Hampton. Those investigations are at long last in new hands. If we permit the Letelier investigation to remain with the FBI that will no longer be innocence but hypocrisy.

## Point Of View

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*Perhaps it is a universal truth that the loss of liberty at home is to be charged to provisions against danger, real or pretended, from abroad.*

JAMES MADISON TO THOMAS JEFFERSON, MAY 13, 1798

## Point Of View

# Innocence and Assassination

MORTON H. HALPERIN

Innocence dies slowly for Americans.

In particular we find it difficult to accept that political assassination for specific political purposes is part of the American scene, and even more difficult to believe that it is viewed as a legitimate instrument of policy by officials of our government.

As the evidence has unfolded before our eyes we have found various ways of interpreting it away. Foreign assassinations are the work of local insurgents; domestic killings are the acts of deranged individuals acting alone.

When Lumumba died in the Congo most Americans were simply relieved. A leftist demagogue had been mercifully removed from the scene. The charge that the United States Government had plotted his assassination because of a fear that he would be voted back into office would have been dismissed out of hand. Castro's repeated charges that the CIA was plotting to kill him were viewed as a clumsy propaganda effort to turn attention away from Cuban intervention in the affairs of other countries.

The deaths of Trujillo and Diem likewise passed without any serious attention to the possible American role. Political assassination was not something Americans would do, even abroad.

The remark by President Ford to the *New York*

*Times* editors that the CIA had been involved in assassination plots thus came as a shock to most Americans and led to the Church Committee inquiry. That study, however, focused on the wrong question and came up with a very misleading answer. The lawyers on the committee staff for some reason determined that the issue was whether there was sufficient evidence to convict any President of murder or attempted murder. Given the elaborate techniques to disguise the presidential role, it is not surprising that such charges came out unproved. But somehow the more important point was obscured. It was now established beyond doubt that the United States government, and in particular the CIA, conspires with the Mafia, foreign assassins, and whoever else it can to plot the assassination of foreign leaders whose views or activities their American counterparts dislike.

As with all techniques which we permit to be used abroad, assassination has come home. The probe into the assassinations of John Kennedy Martin Luther King, Jr. authorized by the House in the closing hours of this session of Congress may find only a cold trail and we may never know whether any political groups were involved. We do know that the intelligence services fatally cor-

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